

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:17-cr-102-FtM-38MRM

JUAN CARLOS GONZALEZ

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is Defendant Juan Carlos Gonzalez's *pro se* Motion for a Reduction in Sentencing ([Doc. 90](#)) and the Federal Public Defender's Office's Notice that it will not seek relief under Amendment 782 to the Sentencing Guidelines on Defendant's behalf ([Doc. 93](#)).

In 2018, the Court sentenced Defendant to 210 months' imprisonment for conspiring to distribute methamphetamine. ([Doc. 65](#); [Doc. 67](#)). Defendant now moves to reduce his sentence under Amendment 782. ([Doc. 90](#)). Because of Defendant's motion, the Court appointed a federal public defender to review the record and file any motion for Defendant. ([Doc. 91](#)). A federal public defender has done so and advises that Defendant is ineligible for Amendment 782 relief because the Court sentenced him under the 2016 Guidelines Manual that incorporated the Amendment's benefits. The public defender has conferred with Defendant about this assessment and told him no further action will be taken. ([Doc. 93 at 2](#)).

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

After the Court's review of the record, it too finds that Defendant is ineligible for a sentence reduction under Amendment 782 because his originally imposed sentence contemplated the benefits of the Amendment. The Court thus denies Defendant's motion.

Accordingly, it is now

**ORDERED:**

- (1) Defendant Juan Carlos Gonzalez's *pro se* Motion for a Reduction in Sentencing ([Doc. 90](#)) is **DENIED**.
- (2) The Federal Public Defender's Office is **RELIEVED** of further representing Defendant on this Amendment 782 proceeding.
- (3) The United States Probation Office is **RELIEVED** of its obligation to file an eligibility memorandum.

**DONE AND ORDERED** in Fort Myers, Florida on this 1st day of October 2020.

Copies:  
Counsel of Record